



King County Board of Ethics
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KING COUNTY BOARD OF ETHICS SPECIAL MEETING NOTICE

PLEASE NOTE CHANGE OF LOCATION AND TIME FROM USUAL SCHEDULE

When: Tuesday, June 17, 2003, at 2:00 p.m.

Where: Bank of America Tower
701 5th Avenue, 32nd floor
5th Avenue and Columbia Street, Seattle
Office of the Executive conference room

AGENDA

1. ***Approval of Agenda***
2. ***Approval of Meeting Minutes of May 19, 2003.***
3. ***Proposed Amendment to the Post Employment Provision.*** Review of proposed changes and vote on acceptance.
4. ***2003 Financial Disclosure Program.*** Discussion and determination on non-compliance.
5. ***Staff Report***
 - Awareness Campaign—Update
 - Review of Use of County Resources—Update
 - Staff Informational Responses
 - Letter to Board
 - Request for Disclosure of Documents

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Minutes of the June 17, 2003, Special Meeting of the King County Board of Ethics

The June 17, 2003, special meeting of the King County Board of Ethics was called to order by Chair Lois Price Spratlen at 2:00 p.m. Board members in attendance were:

Lois Price Spratlen, Ph.D., Chair
Rev. Paul F. Pruitt
Mr. Jerry Saltzman

Mr. Roland H. Carlson and Dr. Margaret T. Gordon had excused absences.

Others in attendance:

Ms. Catherine A. Clemens, Administrator, King County Board of Ethics
Mr. Alan Abrams, Senior Deputy Prosecuting Attorney and Board Counsel
Ms. Cheryl Carlson, Senior Deputy Prosecuting Attorney
Mr. Clifton Curry, Senior Legislative Analyst, Law, Justice & Human Services Committee, King County Council

1. *Approval of Agenda.* Mr. Saltzman moved and Rev. Pruitt seconded that the board approve the proposed agenda. The board unanimously adopted the motion.

Chair Price Spratlen asked for introductions from those present.

2. *Approval of Meeting Minutes of May 19, 2003.* Rev. Pruitt moved and Mr. Saltzman seconded that the board approve the May 19, 2003, meeting minutes. The board unanimously adopted the motion and the minutes were approved.

3. *Proposed Amendment to the Post Employment Provision.* Mr. Curry briefed the board. Following transmittal of the proposed amendment by the executive to the council, the matter was assigned to the Law, Justice and Human Services Committee. The Committee liked the process and the policy and forwarded the proposed amendment to the council. During council consideration, it raised questions concerning clarity of language in the proposed amendment. The questions and subsequent suggestions by council staff focused on making the ordinance more clear and easier to understand in what is allowed and not allowed for employees after leaving county employment. The concern was not with the policy itself but that the legislation be clear so the policy could be implemented after passage. The Clerk of the Council and code reviser also reviewed the legislation for conformity to code standards. Finally, council staff, Ms. Carlson and Mr. Abrams met for a final review. Changes generally included reworking the definition of "participate" and reordering certain sections to place policy provisions first, followed by special prohibitions.

Ms. Carlson arrived at 4:07 p.m.

Dr. Price Spratlen stated that she was delighted by the services of so many competent county staff and the results of their work. Rev. Pruitt asked what will happen next. Mr. Curry stated that if the board agrees with the draft, it will go to the full council for vote on July 23, 2003. Prior to the council meeting, Mr. Curry will brief all councilmembers having questions on the amendment. At the council meeting, Mr. Gossett, Chair of the Law, Justice and

Human Services Committee, will introduce the matter and Mr. Curry provide the briefing. Ms. Clemens is invited to attend the full council meeting so that she might respond to any questions. Chair Price Spratlen voiced approval of the careful process. Mr. Curry stated that if approved by the council, the amendment will be certified by the Clerk, signed by the Council Chair, and transmitted to the Executive for signature. He may sign, veto or allow it to become law without action after 10 days.

Following further discussion, Rev. Pruitt moved that the Striking Amendment to Proposed Ordinance 2003-0148, VERSION 1 be accepted; Mr. Saltzman second the motion and the motion was unanimously approved.

Chair Price Spratlen expressed her appreciation for the contributions and extensive work on this matter by all individuals involved. Ms. Clemens voiced her thanks to Mr. Curry for his collaborative and effectively work in moving this amendment through its review and passage.

Ms. Carlson left the meeting at 2:19 p.m.

4. *2003 Financial Disclosure Program.* Ms. Clemens reported on the current status of compliance by affected county employees and board and commission members with the requirement to file statements of financial and other interests. As of the meeting date, June 17th, 2003, all 2,119 employees required to file had filed. Of the 448 board and commission members required to file, all but three had filed. Ms. Clemens identified the various ways in which the ethics office notified members and staff of the requirement and filing status, including: reminder letter from executive in March 2003; weekly reminders to staff liaisons; direct communications with the executive during quarterly meeting; and reminders from the office of the County Administrative Officer. Ms. Clemens noted the penalty for non-compliance: under K.C.C. 3.04.060, members of boards and commissions who fail to comply with the requirement to file statements of financial and other interests shall be subject to immediate removal from such appointments by their appointing authority. The board discussion what action, if any, to take on the matter. Mr. Abrams stated that failure to comply with the requirement to file is a serious breach. He offered to draft a formal notice to be sent to those who have failed to file. Should they not comply within a stated time period, they should be removed. The board agreed to action in the following steps: asking CAO Paul Tanaka to take action and contact the three; Chair Price Spratlen contacting the three; sending a formal notice if earlier attempts fail; and formally requesting their removal. The Chair stated that it is important for citizens to take part in county government, but they must comply with its laws to serve. Mr. Saltzman moved that the board follow its plan to notify non-compliant board members and request removal if necessary; Rev. Pruitt seconded the motion and the motion passed unanimously.

7. *Staff Report. Staff Informational Responses.* Ms. Clemens gave the staff report. Awareness Campaign. The awareness campaign for the ethics board and office will extend over a three year period and include the following activities: 1) conduct a survey of county employees on awareness and knowledge of the existence of the ethics office, board and code; 2) create various vehicles carrying messages to county employees on ethics, and the board and office; 3) design a distinctive 'look' for ethics publications and create new ethics publications; and 4) conduct periodic follow-up surveys to evaluate performance. Marketing staff from the Department of Transportation and Department of Natural Resources and Parks is assisting the ethics administrator in this effort. The Chair requested that any survey questions be reviewed by the Board. Review of Use of County Resources. As directed by the board during its May meeting, the administrator is gathering information and policies from various agencies and jurisdictions related to use of public resources. Ms. Clemens attended the Washington State Executive Ethics Commission meeting in June during which it reviewed similar issues. The administrator will present the information in a future meeting. Staff informational Responses. Ms. Clemens provided the board with eight (8) staff informational responses sent by the administrator to county agencies and employees. The administrator issued the responses between May 15, 2003 and June 5, 2003, inclusive. Ethics-related topics contained in these responses include: use of county resources—cell

phones; post employment; receipt of gifts; use of county e-mail related to charitable activities; acceptance of meals and gifts from customers; gift of public funds; requirement to file disclosure statements; and endorsements by a county employee for county contractor.

Letter to Board. Letter to the board from Mr. Carl Anderson, a county employee previously seeking an advisory opinion. No action was taken or required. Request for Disclosure of Documents. Letter of response from the administrator to Mr. Carl Anderson regarding his request for public disclosure of documents. No action was required or taken.

The Board discussed the Sixth Annual Board Reception held this day from 12:15 p.m. - 1:30 p.m. in the southwest conference room of the 12th floor of the King County Courthouse. The board agreed that the event had been a success this year, demonstrated by the high attendance numbers of county leaders and the words of appreciation expressed by Council Chair Sullivan and Executive Sims. The Chair expressed approval of the location for the reception, being convenient and appropriate, and hoped we could use the room next year. The board expressed its gratitude to Ms. Clemens and Mr. Peter Toliver, Financial Disclosure Coordinator, for their work on the reception.

Finally, after reviewing upcoming matters and schedules, the board decided to cancel the meeting scheduled for July 21, 2003, and directed the administrator to notify all board members.

Mr. Saltzman moved and Rev. Pruitt seconded the motion to adjourn the meeting. The board unanimously approved the motion and the meeting was adjourned at 2:39 p.m.

Approved this 15th day of September, 2003, by the King County Board of Ethics.

Signed for the Board: _____
Dr. Lois Price Spratlen, Chair